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MAY 2 5 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey P. Gambino, et al.

Examiner: Lynne Ann Gurley.

Serial No.: 10/707,811

Docket: BUR920020121US1(16760)

Filed: January 14, 2004

Art Unit: 2812

For: SACRIFICIAL INORGANIC

Date: May 25, 2004

POLYMER INTERMETAL DIELECTRIC DAMASCENE WIRE AND VIA LINER

Confirmation No: 1810

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143

Sir:

In response to the Office Action dated May 5, 2004, applicants provisionally elect, without traverse, the subject matter of Group I, i.e., Claims 1-18, for continued prosecution in the above-identified patent application.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: May 25, 2004

Steven Fischman

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 -- Facsimile
e:mail: intprop@ssmp.com

SCULLY, SCOTT, MURPHY & PRESSER



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MAY 2 5 2004

To: Examiner Lynne Ann Gurley
GROUP ART UNIT: 2812

From: Steven Fischman.

Fax: (703)-872-9306

Pages: 7 (including fax cover sheet)

ate: May 25, 2004

Phone:

Re:

Date:

Jeffrey P. Gambino, et al. U.S. Serial No. 10/707,811

CC:

Docket: 16760

RESPONSE UNDER 37 C.F.R. §1.111 and 1.143

COMMENTS:

Transmitted herewith are the following:

- 1. Amendment Transmittal letter (in duplicate)
- 2. Response Under 37 C.F.R. §1.111 and 1.143
- 3. Certificate of Transmission by Facsimile, dated May 25, 2004 (in duplicate)

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CERTIFICATE OF Applicant(s): Jeffrey P.	TRANSMIS Gambino, et a	SSION BY FA I.	CSIMILE (37 CI	. 111	Docket No. UR920020121US1 (16760)
Serial No. 10/707,811		ng Date ry 14, 2004	ı	miner nn Gurley	Group Art Unit 2812
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I hereby certify that this	· ·				
is being facsimile transm			onse Under 37 C.F.R (Identify type of corres nt and Trademark C	pondence)	03-872-9306
on May 25, 2 (Date)	2004	<u>_</u> :			
(Date)				Steven Fischman	
			(Typed or Printed	Name of Person Signi	ng Certificate)
		, ``		(Signature)	
				(Signature)	, ;

Note: Each paper must have its own certificate of mailing.

CLAIMS AS AMENDED CLAIMS REMAINING HIGHEST # NUMBER EXTRA RATE FEE TOTAL CLAIMS 24 24 = 0 x \$18.00 \$0.00 NDEP. CLAIMS 4 = 0 x \$86.00 \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 **No additional fee is required for amendment.** Please charge Deposit Account No. In the amount of A check in the amount of to cover the filling fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0.56/IBM Any additional filling fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 C.F.R. 1.17. **Signature** Dated: May 25, 2004 **Signature** **Signature** **Signature** **Presser** **Descript that this document and fee is being deposited on Patents, No. 14,594 **County No. 10, 10, 10, 10, 10, 10, 10, 10, 10, 10,	AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Jeffrey P. Gambino, et al.					Dock t No. BUR920020121US1 (16760)		
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. CLAIMS AS AMENDED CLAIMS REMAINING HIGHEST # NUMBER EXTRA RATE FEE TOTAL CLAIMS 24 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 4 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 4 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 4 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 4 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 5 PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 Williple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 No additional fee is required for amendment. Please charge Deposit Account No. in the amount of to cover the filing fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 69-0.56/IBM Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 C.F.R. 1.16. Dated: May 25, 2004 Signature Signature Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530 (516) 742-433 SF:HAH:kc Signature Of Parson Mailing Correspondence	10/707,811	.		Lynne Ann Gurl				
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CLAIMS REMAINING AFTER AMENDMENT PREV. PAID FOR CLAIMS PRESENT RATE FEE TOTAL CLAIMS 24 24 = 0 x \$18.00 \$0.00 NDEP. CLAIMS 4 = 0 x \$86.00 \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 **No additional fee is required for amendment.** Please charge Deposit Account No. In the amount of to cover the filling fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0-56/IBM Any additional filling fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. **Dated: May 25, 2004** **Steven Fischman** Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 SF:HAH:kc **Signature** **Signature**	TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.							
AFTER AMENDMENT PREV. PAID FOR CLAIMS PRESENT FEE TOTAL CLAIMS 24 24 = 0 x \$18.00 \$0.00 NDEP. CLAIMS 4 4 = 0 x \$86.00 \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00 **No additional fee is required for amendment.* Please charge Deposit Account No. in the amount of to cover the filling fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0.56/IBM Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0.56/IBM Any additional filing fees required under 37 C.F.R. 1.16. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0.56/IBM Any patent application processing fees under 37 C.F.R. 1.16. Dated: May 25, 2004 **Steven Fischman** Registration No. 34,594 **SCULLY, SCOTT, MURPHY & PRESSER** 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 **SF:HAH:kc** **Signature** **Si			CLAIMS AS	AMENDED				
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CERTIFICATE OF T Applicant(s): Jeffrey P. G	PANSMISSION Fambino, et al.	BY FACSII	MILE (37 CFR	4.14	Docket No. BUR920020121US1 (16760)
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AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Jeffrey P. Gambin, et al.					Docket No. BUR920020121US1 (16760)				
Serial No. 10/707,811			y 14, 2004	Examiner Lynne Ann Gurley				Group Art Unit 2812	
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			TOTAL ADDITION	NAL F	EE FOR THIS AM	ENDI	MENT	\$0.00	
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St	tur Pi Sigi	nki		Da	ted: May 25, 2004				
Steven Fischman Registration No. 3 SCULLY, SCOTT 400 Garden City P Garden City, New (516) 742-4343 SF:HAH:kc	, MURPI laza		ER.		class mall under 3 for Patents, P.Q. Box	87C.F. 1450,	with the R. 1.8 a ALexandri	fee is being deposited on a U.S. Postal Service as first and is addressed to the a, VA 22313-1450.	
cc:			-	•	Typed or Printed	Name	of Person	Mailing Correspondence	